



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Fischetti, et al.

Continuation of Serial No.09/752,731

Group: 1616

Filed: 09/16/03

Examiner: Dameron Levest Jones

For:

The Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

PETITION TO MAKE SPECIAL

Applicant hereby request that their biotechnology application be granted "special" status.

New Horizons Diagnostics Corporation is a small entity.

The subject of the patent is a major asset of the small entity.

The development of the technology will be significantly impaired if examination of the patent application is delayed. Funding for the research and development of the technology is dependent upon the prosecution progress of the patent application in question.

Additionally, this application deals with the treatment of bacterial infections. These bacterial infections often occur in the mid to late stages of AIDS. It is believed that AIDS patients will be able

to more successfully tolerate the use of phage associated lytic enzymes (the subject of the patent application) than they can many antibiotics. Hence, this application should also be made special due to its potential usefulness for AIDS patients.

Please call the undersigned at 800-888-5015 if you have any questions or comments. Thank you.

Very truly yours,

A handwritten signature in cursive script, appearing to read 'L. Loomis', written in dark ink.

Larry Loomis